

RESOLUTION NO. R2004-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA,
ARIZONA, ADOPTING A POLICY REGARDING THE YUMA
CROSSING NATIONAL HERITAGE AREA DESIGNATION AND
BOUNDARY AND DIRECTING THE CITY ADMINISTRATOR TO
IMPLEMENT SAID POLICY THROUGHOUT THE VARIOUS
DEPARTMENTS OF THE CITY OF YUMA.**

WHEREAS, the Yuma Community has received Congressional designation as a National Heritage Area in October of 2000; and,

WHEREAS, the Yuma Crossing National Heritage Area Corporation (Heritage Area Corporation), is a private non-profit entity responsible for the management of the Yuma Crossing National Heritage Area (Heritage Area) through partnership and community-based planning and implementation of a variety of projects to conserve, enhance and interpret the historic, natural and environmental assets of the community as defined in the approved and adopted Yuma Crossing National Heritage Area Management Plan (Plan); and,

WHEREAS, the enabling legislation for the designation of the Heritage Area (Public Law 106-319) confers no regulatory powers to the designation, boundary or Heritage Area Corporation; and

WHEREAS, the City of Yuma is a major partner in the implementation of the Plan and is desirous of adopting a policy clarifying and directing the City Administration as to the appropriate use of said Heritage Area Designation and resulting Boundary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuma, Arizona, as follows:

SECTION 1: It shall be the policy of the City of Yuma that the boundary of the Yuma Crossing National Heritage Area shall not be used as the basis for actions by the City that would restrict, limit or otherwise alter the lawful use and enjoyment of private property. This boundary is defined in an act of the United States Congress, P.L. 106-319 as 12th Street on the South, the Colorado River on the North and West and Avenue 7E on the East. This policy shall apply to any future boundary amendments as legislated by the United State Congress.

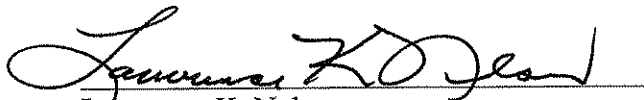
SECTION 2: No current regulations exist or apply to private property because of the designation of the boundaries of the Yuma Crossing National Heritage Area as defined in P.L. 106-319 as 12th Street on the south, the Colorado River on the north and west and Avenue 7E on the east. Therefore it shall be the policy of the City of Yuma that its Officials, Staff, Agents or Assigns shall not use said boundary as a basis for regulating the use, development or enjoyment of private property within or outside of said

boundary. This policy shall remain in full force and effect for said boundary should it be amended through an act of the US Congress.

SECTION 3: If any of the terms, parts, articles, or provisions of this resolution are for any reason invalid or unenforceable, the remaining terms, parts, Articles, or provisions are nevertheless valid and enforceable.

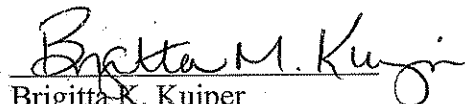
Passed and adopted this 19th day of May 2004.

APPROVED:

A handwritten signature in cursive script, appearing to read "Lawrence K. Nelson", written over a horizontal line.

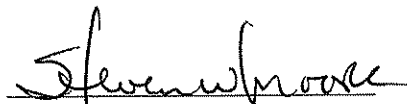
Lawrence K. Nelson
Mayor

ATTESTED:

A handwritten signature in cursive script, appearing to read "Brigitta K. Kuiper", written over a horizontal line.

Brigitta K. Kuiper
City Clerk

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Steven W. Moore", written over a horizontal line.

Steven W. Moore
City Attorney